



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,155	12/11/2003	Shantilal Hirji Modha	SSK-50 (18583)	5956
22827	7590	11/16/2007		
DORITY & MANNING, P.A. POST OFFICE BOX 1449 GREENVILLE, SC 29602-1449			EXAMINER VARGOT, MATHIEU D	
			ART UNIT	PAPER NUMBER
			1791	
			MAIL DATE	DELIVERY MODE
			11/16/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/733,155	<b>Applicant(s)</b> MODHA ET AL	
	<b>Examiner</b> Mathieu D. Vargot	<b>Art Unit</b> 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 77-91,94-109 and 112-115 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 77-91,94-109 and 112-115 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/23/07</u> . | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 1791

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 77-84, 88-91, 94-102, 106-109 and 112-115 are rejected under 35 U.S.C. 103(a) as being unpatentable over PCT Publication WO 02/32475 (Teoh) in view of Chen -607 and Agostinelli (see Example 1).

PCT -475 and Chen -607 are applied essentially for reasons of record, the references failing to explicitly teach that a chlorination step would be performed while the glove is on the former. As already noted, PCT -475 discloses chlorination, but states that such is only a "partial solution" to eliminating tack. See page 2 of PCT -475. As applicant should be well aware of, a reference is to be considered for all it teaches, even if such teachings are set forth in non-preferred embodiments or if they are part of the prior art that the patentee is attempting to improve upon. Clearly, reading the PCT -475 reference as a whole, its submitted prime facie obvious that one of ordinary skill in the art would have reason to use a chlorination step to at least eliminate some degree of tackiness should such be desired. Agostinelli teaches chlorinating a glove on a former prior to stripping and such would have been an obvious modification to the process of PCT-475 should one desire additional tack protection.

2. Claims 85-87 and 103-105 are rejected under 35 U.S.C. 103(a) as being unpatentable over PCT Publication –475 in view of Chen –607 and Holguin and further in view of Agostinelli for reasons of record as set forth in the last rejection and paragraph 1, supra.

3. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Given the amendment to the independent claims, Agostinelli has been added to the rejection to teach the purely conventional step of chlorinating a glove prior to stripping it from a former. Applicant appears to be arguing the references separately and pointing out differences between them as indications that they would not be combined. However, as already pointed out, these arguments are not persuasive. PCT –475 discloses all the basic instant steps—including chlorination and applying a silicone lubricant-- except that the chlorination, if used, would be employed after the glove has been removed from the former as would the silicone lubricant application. However, Chen –607 teaches applying a silicone emulsion while the glove is on the former and Agostinelli teaches chlorinating while the glove is on the former. Hence, one of ordinary skill in the art would have reason to believe that such steps would have been advantageously employed in the method of PCT –475 to facilitate the application of these well known agents to the glove. Clearly, it is easier to apply them while the glove is on the former rather than stripping the glove and then applying them. Such would also depend on the exact surfaces desired to make non-tacky and/or

Art Unit: 1791

lubricated. If only the inside surface is desired to be treated, then performing the application while the glove is on the former is the easiest method. If both inside and outside surfaces are to be treated, then stripping and then dipping or tumbling the entire glove in a bath is the best method. However, it is maintained that either method is well known in the art and would have been an obvious step dependent on the exact surfaces desired to be treated. Obviousness only requires a reasonable expectation of success, not an assurance of such. Also, a reference is to be considered for all it teaches. Quite simply, applicant's arguments are not persuasive of error in the instant rejection.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mathieu D. Vargot whose telephone number is 571 272-1211. The examiner can normally be reached on Mon-Fri from 9 to 6.

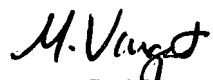
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson, can be reached on 571 272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

Art Unit: 1791

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. Vargot  
November 4, 2007

  
Mathieu D. Vargot  
Primary Examiner  
Art Unit 1791

11/4/07